

EXHIBIT E

CHAPTER NO. 284
SENATE BILL NO. 812

By Ashe, Agee

Substituted for: House Bill No. 779

By Boner, Clark (Knox), Williams

AN ACT to amend Tennessee Code Annotated, Title 20, Chapter 6 relative to certain civil procedure provisions relating to females.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 20-607 is amended by deleting the existing language of that section and substituting in lieu thereof, the following:

The right of action which a person, who dies from injuries received from another, or whose death is caused by the wrongful act, omission or killing by another, would have had against the wrongdoer, in case death had not ensued, shall not abate or be extinguished by his death but shall pass to his surviving spouse and, in case there is no surviving spouse, to his children or his next of kin; or to his personal representative, for the benefit of his surviving spouse or next of kin; or to his natural parents or parent or next of kin if at the time of death decedent was in the custody of the natural parents or parent and had not been legally surrendered by them, otherwise to his legally adoptive parents or parent, or to the administrator for the use and benefit of the said adoptive parents or parent; the funds recovered in either case to be free from the claims of creditors.

SECTION 2. Tennessee Code Annotated, Section 20-608 is amended by deleting the word "widow" wherever it appears and substituting in lieu thereof the word "surviving spouse."

SECTION 3. Tennessee Code Annotated, Section 20-609 is amended by deleting the existing language of that section and substituting in lieu thereof, the following:

If the deceased had commenced an action before his death, it shall proceed without necessity of revivor. The damages shall go to the surviving spouse and next of kin free from the claims of creditors.

SECTION 4. Tennessee Code Annotated, Section 20-611 is amended by deleting the language of that section in its entirety and substituting in lieu thereof, the following:

A suit for the wrongful killing of the spouse may be brought in the name of the surviving spouse for the benefit of himself and the children of the surviving spouse, or in the name of administrator of the deceased spouse or in the name of the next of kin of the spouse. The surviving spouse may effect a bona fide compromise in such a suit or right of action and may execute a valid release which shall be binding upon all the children of the deceased or next of kin of the deceased.

SECTION 5. This Act shall take effect on becoming a law, the public welfare requiring it.

PASSED: May 20, 1975

John S. Wilder,
SPEAKER OF THE SENATE

Ned R. McWhorter,
SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED: May 28, 1975

Ray Blanton,
GOVERNOR